

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SAMIRA SIERRA, AMALI SIERRA,
RICARDO NIGAGLIONI, ALEX GUTIERREZ,
and CHARLES HENRY WOOD, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

CITY OF NEW YORK, a municipal entity; and
Mayor BILL DE BLASIO, Chief of Department
TERENCE A. MONAHAN, Assistant Chief
KENNETH C. LEHR, Inspector ROBERT
GALLITELLI, Bureau Chief HARRY WEDIN,
Deputy Chief JOHN D'ADAMO, Deputy Chief
GERARD DOWLING, Captain JULIO
DELGADO,
Sergeant KENNETH RICE, Sergeant THOMAS
GARGUILO, Police Officer JOHN MIGLIACCIO,
and Police Officer THOMAS MOSHER, in their
individual capacities,

Defendants.

20-cv-10291 (CM)(GWG)
20-cv-10541 (CM)(GWG)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Alison Frick and the exhibit attached thereto, the Declaration of Joshua Moskovitz, the Declaration of Michael Spiegel, the Declaration of Rob Rickner, and the accompanying Memorandum of Law, Plaintiffs respectfully move this Court for an order:

- (1) preliminarily approving the proposed settlement terms as reflected in the parties' Stipulation of Settlement and Order;
- (2) conditionally certifying the proposed class for settlement purposes pursuant to Fed. R. Civ. P. 23(c) and 23(e);
- (3) appointing Hamilton Clarke, LLP; Kaufman Lieb Lebowitz & Frick LLP; Rickner PLLC; and Michael L. Spiegel, Esq. as Class Counsel;

- (4) approving the proposed class settlement notice procedure as reflected in the parties' Stipulation of Settlement and Order;
- (5) appointing Rust Consulting, Inc. as Class Administrator; and
- (6) granting any other relief the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Defendants do not oppose this motion.

Dated: February 28, 2023



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